

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

MURTAZA ALI a/k/a ALI MURTAZA,)
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 Plaintiff,)
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 vs.) No. CIV-14-1174-C
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JAMES DRAWBRIDGE, et al.,)
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)
 Defendants.)

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff brought the present action pursuant to 42 U.S.C. § 1983, seeking recompense for alleged violations of his constitutional rights. Consistent with the provisions of 28 U.S.C. § 636(b)(1)(B), this action was referred to United States Magistrate Judge Gary M. Purcell. Judge Purcell entered his Fifth Supplemental Report and Recommendation (“R&R”) (Dkt. No. 165) on October 28, 2016, recommending dismissal of certain Defendants and entry of judgment on certain claims. Plaintiff has objected to the R&R.

The facts and law are accurately set out in the Magistrate Judge’s Report and Recommendation and there is no purpose to be served in repeating them yet again. Plaintiff’s objection fails to demonstrate any error in the factual or legal reasoning employed by Judge Purcell. Rather, Plaintiff’s objection offers nothing other than conclusory disagreement with the R&R.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge (Dkt. No. 165). Plaintiff’s claims against Defendants Terry, Haddock, and Jones are DISMISSED without prejudice for failure to timely serve. Defendant Sacket

(Vales) is entitled to qualified immunity and therefore judgment should be entered in favor of this Defendant and against Plaintiff. Finally, Defendant Fox is entitled to judgment as Plaintiff failed to properly exhaust the claims against him. A separate judgment will issue at the close of this case. This matter is returned to Judge Purcell under the terms of the original Order of Referral.

IT IS SO ORDERED this 12th day of January, 2017.



ROBIN J. CAUTHRON
United States District Judge